

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

R&B – Arbitration – Arbitration matters filed by and against Government
– CMA No.352/1993 & CRP No. 1107/1993 - Orders of Hon'ble High Court
– Amicable settlement – Amount Sanctioned – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.I) DEPARTMENT

G.O.Ms.No.198

Dated:23.07.2008.

Read the following:

1. Hon'ble High Court of A.P. Order Dated:15.06.07.
2. Advocate General, Govt. of A.P., Letter Dated:16.07.07.
3. G.O.Rt.No.1424, T.R & B Dept., Dated:16.10.2007.
4. Letter Dated: 24.03.2008 of M/s Subhash Constructions.
5. ENC (R&B) Admn. & NH, Lr.No.37841/EE(CRF)/DEE4,
Dated:31.03.08.

ORDER:

In the reference 1st read above, Hon'ble High Court of Andhra Pradesh have ordered to make an effort of conciliation to the effect of settlement. In compliance with the above orders of Hon'ble High Court of A.P., The Advocate General, Government of Andhra Pradesh in the reference 2nd read above has suggested to constitute a Committee for attempting an amicable settlement with the contractors who come forward.

2. Keeping in view of the orders of the Hon'ble High Court of Andhra Pradesh, Government have constituted a Committee for attempting an amicable settlement to the Arbitration Matters pending in the Courts pertaining to Roads & Buildings Department in the reference 3rd read above.

3. The Committee, after several negotiations with the Contractors/Claimants have arrived at a maximum consensus during its meeting on 25.02.2008 held in the Chambers of Principal Secretary to Government, Transport, Roads & Buildings Department.

4. In the reference, 4th read above, M/s Subhash Constructions, have given their consent to receive Rs.13.00 Lakhs (Rupees Thirteen Lakhs Only) towards final settlement in the CMA No.352/1993 & CRP No. 1107/1993.

5. In the reference 5th read above, the Engineer-in-Chief (R&B) Admn. & NH, while forwarding the consent letters has requested to take necessary action, as the consent letters are in accordance to the acceptance of the Committee.

6. Government after careful examination of the matter, and keeping in view of the Orders of the Hon'ble High Court of Andhra Pradesh, hereby settle the matter in the interest of Government and the Contractor/Claimant to amicably resolve the long pending dispute by paying negotiated amount of Rs.13.00 Lakhs (Rupees Thirteen Lakhs Only) towards final settlement in the CMA No.352/1993 & CRP No. 1107/1993 for the work "Construction of Bridge including approaches across Pamuleru river in Km 6/426 of Burgampad-Aswaraopet road" to M/s Subhash Constructions, Tadepalli, Guntur district.

7. The Amount sanctioned in para-6 above shall be debited to the relevant Head of Account in which the concerned work has been sanctioned i.e. 5054-80-001-GH.11-SH(04)-530-531.

8. The Engineer-in-Chief (R&B) Admn. & NH is requested to take immediate necessary action in the matter and see that the case is disposed off as withdrawn in the Hon'ble High Court of Andhra Pradesh.

9. This order issues with the concurrence of Law Dept. and Finance Dept. vide their U.O.No.2479/LSP/08, Dated:11.04.2008 and U.O.No.18102-A/854/A2/Expr. PW/08, Dated: 02.07.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.T.CHATTERJEE,
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Engineer-in-Chief (R&B) Admn. & NH, Hyd.

The Hon'ble High Court of Andhra Pradesh, Hyd.

The Advocate General, High Court of A.P., Hyd.

M/s Subhash Constructions, Tadepalli, Guntur district.

The Accountant General, Govt. of A.P., Hyd.

The Director of Works Accounts, Hyderabad

Copy to:

The Spl. Secy. to C.M

The P.S. to Prl. Secy. to Govt., T.R & B Dept.

The Finance (Expr. PW) Dept.

//forwarded by order//

SECTION OFFICER